



# City of Denton

City Hall  
215 E. McKinney St.  
Denton, Texas 76201  
[www.cityofdenton.com](http://www.cityofdenton.com)

## Meeting Agenda

### City Council

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Tuesday, June 9, 2020

1:00 PM

Council Work Session Room

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#### AMENDED

#### WORK SESSION BEGINS AT 1:00 P.M. IN THE COUNCIL WORK SESSION ROOM

#### CITY COUNCIL CONSIDERATION OF THE CONSENT AGENDA AND ITEMS FOR INDIVIDUAL CONSIDERATION WILL BEGIN IMMEDIATELY FOLLOWING THE WORK SESSION IN THE COUNCIL WORK SESSION ROOM

Note: Mayor Chris Watts, Mayor Pro Tem Gerard Hudspeth, and Council Members Keely Briggs, Jesse Davis, John Ryan, Deb Armintor and Paul Meltzer will be participating in the work session and special called meeting via video/teleconference.

#### REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Due to COVID-19 precautions, members of the public will not be able to attend the June 9, 2020 City Council meeting in-person. To accommodate and receive input on agenda items, citizens will be able to participate in one of the following ways (NOTE: Other than public hearings, citizens are only able to comment one time per agenda item; citizens cannot use both methods to comment on a single agenda item. Public comments are not held for work session reports.):

- Virtual White Card – On June 5, the agenda was posted online at [www.cityofdenton.com/publicmeetings](http://www.cityofdenton.com/publicmeetings). Once the agenda is posted, a link to the Virtual White Card, an online form, will be made available under the main heading on the webpage. Within this form, citizens may indicate support or opposition and submit a brief comment about a specific agenda item. Comments may be submitted up until the start of the meeting, at which time, the Virtual White Card form will be closed. Similar to when a citizen submits a white card to indicate their position on the item, these comment forms will be sent directly to City Council members and recorded by the City Secretary.

City Council Members review comments received in advance of the meeting and take that public input into consideration prior to voting on an agenda item. The Mayor will announce the number of Comment Cards submitted in support or opposition to an item during the public comment period. Comments will not be read during the meeting. The City Secretary will reflect the number of comments submitted in favor/opposition to an item, the registrant's name, address, and (summary of) comments within the Minutes of the Meeting, as applicable.

OR

- By phone – Citizens wishing to speak over the phone during this Council meeting, may call (940) 349-7800 beginning 30 minutes prior to the meeting start time. Comments by phone will be accepted until the item is opened for discussion by the Council. When the call is initially received, a staff member will receive the caller's information and either: 1) offer to call the citizen back when it is time for them to speak, or 2) record the caller's information, support or opposition, and comment. If the caller chooses to record their support or opposition, rather than speaking during the meeting, the Mayor will announce the number of comments submitted in support or opposition to the item. If the caller wishes to receive a call back, the voice of each caller will be broadcast into the meeting during the public commenting time of their desired agenda item. Individuals will be able to comment once per agenda item, no matter the method.
- At regular meetings only, citizens can speak on any topic that is not on the agenda (Open Microphone). Alert the call taker if you wish to speak under the Open Microphone category. If you would like to give a public report, see the information below.

After determining that a quorum is present, the City Council of the City of Denton, Texas will convene in a Work Session on Tuesday, June 9, 2020, at 1:00 p.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas at which the following items will be considered:

## WORK SESSION

### **1. Citizen Comments on Consent Agenda Items**

This section of the agenda allows citizens to speak on any item listed on the Consent Agenda prior to its consideration. Each speaker will be given a total of three (3) minutes to address any item(s). Any person who wishes to address the City Council regarding these items may do so by utilizing the "By Phone" registration process as referenced under the REGISTRATION GUIDELINES FOR ADDRESSING THE CITY COUNCIL detailed at the beginning of this agenda. Registration is required prior to the time the City Council considers this item. Registrants may call in and remain on hold or receive a call back at the time the Work Session is called to Order and are encouraged to ensure they remain accessible to accept the call.

### **2. Requests for clarification of agenda items listed on this agenda.**

### **3. Work Session Reports**

- A. [ID 20-944](#) Receive a report, hold a discussion, and give staff direction regarding an update to the City of Denton's COVID-19 response.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Presentation \(ID 20-944\)](#)
- B. [ID 20-1114](#) Receive a report, hold a discussion, and give staff direction regarding demonstrations following the tragic death of George Floyd, the call to review and reform use-of-force policies, and Mayor Watts' proposed pledge to the "Commit to Action" initiative and creation of an ad hoc use-of-force committee.
- Attachments: [Exhibit 1 - Agenda Information Sheet](#)  
[Exhibit 2 - Resolution](#)  
[Exhibit 3 - Presentation \(ID 20-1114\) V2](#)
- C. [ID 20-426](#) Receive a report, hold a discussion, and give staff direction regarding the Urban Forest Master Plan.

Attachments:      [Exhibit 1 Agenda Information Sheet](#)  
                              [Exhibit 2 Presentation](#)  
                              [Exhibit 3 Urban Forest Master Plan Draft](#)

- D.    [ID 20-521](#)      Receive a report, hold a discussion and give staff direction regarding update of the 2012 Sustainability Plan.

Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Simply Sustainable Plan - draft](#)  
                              [Exhibit 3 - Goals and Strategies Comparison 2012 2019](#)  
                              [Exhibit 4 - Committee on the Environment Questions and Clarifications](#)  
                              [Exhibit 5 - Sustainability Plan Adoption Resolution](#)  
                              [Exhibit 6 - Annual Report Summary](#)  
                              [Exhibit 7 - Presentation](#)

- E.    [ID 20-732](#)      Receive a report, hold a discussion, and give staff direction regarding DME's proposed Electric Vehicle Charging Infrastructure Strategy.

Attachments:      [Exhibit 1 - Agenda Information Sheet.pdf](#)  
                              [Exhibit 2 - Presentation](#)

Following the completion of the Work Session, the City Council will convene in a Closed Meeting to consider specific items when these items are listed below under the Closed Meeting section of this agenda. The City Council reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

### 1. Closed Meeting:

- A.    [ID 20-1054](#)      Consultation with Attorneys - Under Texas Government Code Section 551.071.

Consult with the City's attorneys on the legal status, expenses, strategy and options for resolution of litigation in Cause No. DC-17-08139, styled "Michael Grim and Jim Maynard v. City of Denton, Texas" pending in the 68th Judicial District Court, Dallas County, Texas; where public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or otherwise compromise the City's legal position in pending litigation.

- B.    [ID 20-1099](#)      Deliberate regarding Real Property - Under Texas Government Code Section 551.072; Consultation with Attorneys - Under Texas Government Code Section 551.071.

Discuss, deliberate, receive information from staff, and provide staff with direction pertaining to the potential purchase of real property located southeast of the corner of Thomas J. Egan Rd. and Jim Christal Rd. in Denton, Denton County, Texas ("Property"), where the deliberation of same in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person or potential litigation. Consultation with the City's attorneys regarding legal issues associated with potential claims against the City associated with the Property, where a public discussion of these

legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, or would jeopardize the City's legal position in negotiations or potential litigation.

Any final action, decision, or vote on a matter deliberated in a Closed Meeting will only be taken in an Open Meeting that is held in compliance with Texas Government Code, Chapter 551, except to the extent such final decision, or vote is taken in the Closed Meeting in accordance with the provisions of Section 551.086 of the Texas Government Code (the 'Public Power Exception'). The City Council reserves the right to adjourn into a Closed Meeting or Executive Session as authorized by Texas Government Code, Section 551.001, et seq. (The Texas Open Meetings Act) on any item on its open meeting agenda or to reconvene in a continuation of the Closed Meeting on the Closed Meeting items noted above, in accordance with the Texas Open Meetings Act, including, without limitation Sections 551.071-551.086 of the Texas Open Meetings Act.

**NOTE: Any item for which a formal action at the Special Called Meeting has been taken by Council may be subject to a request for a motion for reconsideration at any time during the meeting, at the Concluding Items Section, or after the meeting. In order to comply with the Texas Open Meetings Act, a request for a motion for reconsideration made during, at the end of, or after a Council meeting will be placed on the agenda and considered at the next official meeting of the City Council.**

Following the completion of the Closed Meeting, the City Council will convene in a Special Called Meeting to consider the following items:

### **1. CONSENT AGENDA**

Each of these items is recommended by Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the City Manager or his designee to implement each item in accordance with the Staff recommendations. The City Council has received background information and has had an opportunity to raise questions regarding these items prior to consideration.

Listed below are bids, purchase orders, contracts, and other items to be approved under the Consent Agenda (Agenda Items A – F). This listing is provided on the Consent Agenda to allow Council Members to discuss or withdraw an item prior to approval of the Consent Agenda. If no items are pulled, the Consent Agenda Items will be approved with one motion. If items are pulled for separate discussion, they may be considered as the first items following approval of the Consent Agenda.

- A. [ID 20-956](#) Consider adoption of an ordinance of the City Council of the City of Denton, a Texas Home-Rule Municipal Corporation, authorizing the City Manager, or his designee, to execute an indemnity escrow agreement among and between the Texas Municipal Power Agency, a Texas joint powers agency, and the cities of Bryan, Texas, Denton, Texas, Garland, Texas, and Greenville, Texas, regarding the establishment of an escrow to fund TMPA's indemnity obligations pursuant to the Joint Operating Agreement between the cities and TMPA; and, providing and effective date.

Attachments:      [Exhibit 1- Agenda Information Sheet](#)  
                              [Exhibit 2- Ordinance](#)

- B. [ID 20-1004](#) Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager to execute a Modification and Termination of an Interlocal Contract and Memorandum of Agreement with the City of Corinth, under

the Government Code, Chapter 791.001, related to the use of City of Denton's server, hardware, hosting and associated services; and declaring an effective date (File 3839 - terminate an Interlocal Cooperative Purchasing Agreement with the City of Corinth).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Ordinance and Termination Letter](#)

- C.    [ID 20-1005](#)    Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, approving proposals from MAK Repair and Construction, LLC, and authorizing the expenditure of funds for the reconstruction of three (3) properties under the City of Denton Home Improvement Program; providing for the expenditure of funds therefor; and providing an effective date (RFP 7325 - MAK Repair and Construction, LLC, in the not-to-exceed amount of \$468,765).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Pricing Evaluations](#)  
                                 [Exhibit 3 - LLC Members](#)  
                                 [Exhibit 4 - Ordinance](#)

- D.    [ID 20-1084](#)    Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of a first amendment to a contract between the City of Denton and Group For Horizon Entertainment Inc. dba Ranger Guard & Investigations, amending the contract approved by Purchasing on March 24, 2020, in the not-to-exceed amount of \$49,000; said first amendment to provide dedicated security officer services for the City of Denton in accordance with Texas Local Government Code 252.022, which provides that procurement of commodities and services made because of public calamity or to preserve or protect the public health or safety of the municipality's residents is exempt from competitive bidding, and if over \$50,000 shall be awarded by the governing body; providing for the expenditure of funds therefor; and providing an effective date (File 7340 - providing for an additional first amendment expenditure amount not-to-exceed \$33,000, with the total contract amount not-to-exceed \$82,000).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Original Contract](#)  
                                 [Exhibit 3 - Ordinance and Amendment 1](#)

- E.    [ID 20-1025](#)    Consider approval of the minutes of May 29, 2020.

**Attachments:**      [Exhibit A -May 29, 2020 Council Meeting - Registrations & Speakers](#)

- F.    [ID 20-1034](#)    Consider adoption of a resolution of the City Council of the City of Denton in support of the Original Denton District's application for the Arts Respond - Cultural District Project grant from the Texas Commission on the Arts (TCA); authorizing the Original Denton District to execute a letter of support; and providing an effective date. The Public Art Committee recommends approval (8-0).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Resolution](#)  
                                 [Exhibit 3 - Draft Letter of Support](#)  
                                 [Exhibit 4 - Project Narrative](#)

## **2. ITEMS FOR INDIVIDUAL CONSIDERATION**

- A.    [ID 20-1110](#)    Consider approval of a resolution of support for the Mayor's commitment to 1) reviewing use-of-force policies, 2) engaging the community in such review by including diverse input, 3) reporting the findings of the review to the community and seeking feedback, and 4) reforming use-of-force policies; creating an ad hoc Use-of-Force Review Committee; confirming the charge for the Committee; and declaring an effective date

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Resolution](#)

- B.    [ID 20-1069](#)    Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the Mayor to execute an Interlocal Agreement with Denton County to address the impact of the public health emergency with respect to the Coronavirus pandemic; providing an effective date.

**Attachments:**      [Attachment 1 - Agenda Information Sheet](#)  
                                 [Attachment 2 - Ordinance](#)  
                                 [Attachment 3 - Presentation](#)

- C.    [ID 20-999](#)    Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, rejecting any and all competitive proposals under RFP 7227 for the supply and installation of Denton Energy Center (DEC) exhaust air silencers; and providing an effective date (RFP 7227).

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Presentation](#)  
                                 [Exhibit 3 - Ordinance](#)

- D.    [ID 20-1052](#)    Consider approval of a resolution of the City of Denton regarding the addition of land to La La Ranch Municipal Utility District of Denton County, encompassing approximately 311.39 acres of land located north of Hawkeye Road, south of Doyle Road, and west of Miller Road, within Division 2 of the Extraterritorial Jurisdiction of the City of Denton, Texas; and providing an effective date.

**Attachments:**      [Exhibit 1 - Agenda Information Sheet](#)  
                                 [Exhibit 2 - Draft Resolution](#)  
                                 [Exhibit 3 - Resolution Exhibit A – Map of La La Ranch MUD](#)  
                                 [Exhibit 4 - Resolution Exhibit B - Petition for Consent](#)  
                                 [Exhibit 5 - Chapter 8031 Special District Local Laws Code](#)  
                                 [Exhibit 6 - Location Map](#)  
                                 [Exhibit 7 - Interlocal Agreement-Denton County](#)

- E. [ID 20-1100](#) Consider approval of a resolution of the City Council of the City of Denton to appoint a director to the Board of Directors of the Hunter Ranch Improvement District No. 1 of Denton County, Texas, and providing an effective date.
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Hunter Ranch MMD Appointment Resolution](#)
- F. [ID 20-1101](#) Consider approval of a resolution of the City Council of the City of Denton to appoint a director to the Board of Directors of the Cole Ranch Improvement District No. 1 of Denton County, Texas; and providing an effective date.
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Cole Ranch MMD Appointment Resolution](#)
- G. [ID 20-1082](#) Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute the Third Amendment to the Airport Lease Agreement between the City and Nebrig Properties, L.P. relating to leased premises at the Denton Enterprise Airport; and providing for an effective date.
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Site Map](#)  
                              [Exhibit 3 - Ordinance](#)  
                              [Exhibit 4 - Presentation](#)
- H. [ID 20-1083](#) Consider adoption of an ordinance of the City of Denton approving a Consent to Sublease between Nebrig & Associates, Inc. and US Trinity Aviation, LLC, for lease of a fuel facility and equipment at the Denton Enterprise Airport; and providing an effective date.
- Attachments:      [Exhibit 1 - Agenda Information Sheet](#)  
                              [Exhibit 2 - Site Map](#)  
                              [Exhibit 3 - Ordinance](#)  
                              [Exhibit 4 - LLC Information](#)  
                              [Exhibit 5 - Presentation](#)
- I. [ID 20-1109](#) Consider nominations/appointments to the City's Boards, Commissions, and Committees: Board of Ethics and Human Services Advisory Committee.
- Attachments:      [Exhibit 1 - Agenda Information Sheet B&C - 06-09-2020](#)  
                              [Exhibit 2 - Nominations 06-09-2020](#)

### **3. CONCLUDING ITEMS**

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the City Council or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

B. Possible Continuation of Closed Meeting topics, above posted.

#### C E R T I F I C A T E

I certify that the above notice of meeting was posted on the City's website and bulletin board at the City Hall of the City of Denton, Texas, on the 5th day of June, 2020 at 6:40 p.m.

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CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.